

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6266

BILL NUMBER: SB 7

NOTE PREPARED: Nov 3, 2004

BILL AMENDED:

SUBJECT: Motor Vehicle Restraint Systems.

FIRST AUTHOR: Sen. Wyss

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
X FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill has the following provisions:

- A. It requires every occupant of a motor vehicle to wear a safety belt, with certain exceptions.
- B. It removes from the safety belt law conflicting language that was declared invalid by the Indiana Supreme Court.
- C. It prohibits the sale or transfer of a motor vehicle unless the motor vehicle is equipped with safety belts.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues: Under current law, trucks, tractors, and recreational vehicles are excluded from the requirements for safety belt use. This bill would remove these exclusions and require all passengers, not just those in the front seat, to wear a safety belt.

As of January 2004, there were 1,300,505 trucks registered with a gross weight of not more than 11,000 pounds, and there were 114,162 citations for seat belt violations for the 12-month period ending September 2004. Although the number of additional citations and fines will depend on compliance and enforcement, the number of vehicles subject to seat belt use, based on vehicle registrations, would increase by 37%. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments are collected. The maximum judgment for a Class D infraction is \$25, which is deposited in the state General Fund. If a criminal

action, infraction, or ordinance violation involves a traffic violation, including this proposed offense, a highway work zone fee of either 50 cents or \$25.50 is assessed.

Revenue from each class of infraction is not separately identified in the state accounting system. Revenues to the state from all infractions totaled \$15.1 M in FY 2004. Assuming that citations for seat belt violations were to increase by 37% and that each citation resulted in a \$25 fine, the additional revenue to the state General Fund could increase by an estimated \$1.05 M.

Federal Funding: The effect that this bill would have on Indiana's eligibility for federal transportation monies is currently not known, since a federal transportation budget is still being developed.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Indiana Department of Transportation.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Bureau of Motor Vehicles Citations Listing Report by Offenses Entered; Bureau of Motor Vehicles Annual Registration County Count; Jerry McCrory, Director of the Council on Impaired and Dangerous Driving, 232-4220.

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